

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

|                                |   |                               |
|--------------------------------|---|-------------------------------|
| TRUSTEES OF THE HAWAII         | ) | Civil No. 19-00019 HG-KJM     |
| LABORERS' TRUST FUNDS, et al., | ) |                               |
|                                | ) | ORDER GRANTING PLAINTIFFS'    |
| Plaintiffs,                    | ) | TRUSTEES OF THE HAWAII        |
|                                | ) | LABORERS' TRUST FUNDS' EX     |
| vs.                            | ) | PARTE MOTION FOR ORDER TO     |
|                                | ) | SHOW CAUSE WHY JUDGMENT       |
| PARADISE LANDSCAPE             | ) | DEBTOR PARADISE LANDSCAPE     |
| MAINTENANCE, INC., a Hawaii    | ) | MAINTENANCE INC., BY AND      |
| corporation,                   | ) | THROUGH JUANITO B. LAMEG      |
|                                | ) | AND SHEENA BAGUIO-LAMEG,      |
| Defendant.                     | ) | AND JUANITO B. LAMEG AND      |
|                                | ) | SHEENA BAGUIO-LAMEG,          |
|                                | ) | SHOULD NOT BE HELD IN         |
|                                | ) | CONTEMPT AND WHY SANCTIONS    |
|                                | ) | SHOULD NOT BE IMPOSED DUE     |
|                                | ) | TO THEIR FAILURE TO APPEAR AT |
|                                | ) | ORDER FOR EXAMINATION         |
|                                | ) | RETURN HEARINGS AND TO        |
|                                | ) | PRODUCE ALL BOOKS, PAPERS,    |
|                                | ) | RECORDS AND DOCUMENTS PER     |
|                                | ) | THE COURT'S ORDER OF          |
|                                | ) | EXAMINATION OF JUDGMENT       |
|                                | ) | DEBTOR                        |
|                                | ) |                               |

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ORDER GRANTING PLAINTIFFS' TRUSTEES OF THE HAWAII  
LABORERS' TRUST FUNDS' EX PARTE MOTION FOR ORDER TO  
SHOW CAUSE WHY JUDGMENT DEBTOR PARADISE LANDSCAPE  
MAINTENANCE INC., BY AND THROUGH JUANITO B. LAMEG AND  
SHEENA BAGUIO-LAMEG, AND JUANITO B. LAMEG AND SHEENA  
BAGUIO-LAMEG, SHOULD NOT BE HELD IN CONTEMPT AND WHY  
SANCTIONS SHOULD NOT BE IMPOSED DUE TO THEIR FAILURE  
TO APPEAR AT ORDER FOR EXAMINATION RETURN HEARINGS AND  
TO PRODUCE ALL BOOKS, PAPERS, RECORDS AND DOCUMENTS  
PER THE COURT'S ORDER OF EXAMINATION OF JUDGMENT DEBTOR

On August 30, 2019, the district court entered a Stipulated Judgment in favor of Plaintiffs Trustees of the Hawaii Laborers' Trust Funds ("Plaintiffs") and against Defendant Paradise Landscape Maintenance, Inc. ("Defendant"). ECF No. 18. The Judgment has not been satisfied. ECF No. 186-1 at 2 ¶ 3.

On August 31, 2021, the Court entered an Order of Examination of Judgment Debtor Paradise Landscape Maintenance Inc., By and Through Juanito B. Lameg, and Sheena Baguio-Lameg ("08/31/2021 Order"). ECF No. 150. The 08/31/2020 Order ordered Defendant, through Mr. Lameg and Ms. Baguio-Lameg, to telephonically appear before the Court on October 27, 2021, for a judgment debtor examination. *Id.* at 2. In addition, the 08/31/2020 Order required Mr. Lameg and Ms. Baguio-Lameg "to bring with them all books, papers, records, and documents regarding [Defendant] . . . showing or tending to show Judgment Debtor [Defendant's] financial affairs or property . . . ." *Id.* at 2–3. The 08/31/2020 Order also contained Exhibit "1," which is a list of 11 "Documents to bring regarding Judgment Debtor [Defendant] . . . ." ("documents to be produced"). ECF No. 150-1.

On October 27, 2021, Plaintiffs' counsel and Ms. Baguio-Lameg appeared telephonically at the judgment debtor examination. Mr. Lameg did not appear. ECF No. 167. Plaintiffs' counsel and Ms. Baguio-Lameg agreed that Ms. Baguio-Lameg's examination would proceed, and that Ms. Baguio-Lameg would submit

the documents to be produced to Plaintiffs' counsel on November 12, 2021. ECF No. 186-1 at 3–4 ¶ 6. On November 16, 2021, Ms. Baguio-Lameg requested from Plaintiffs' counsel an unspecified extension of time to submit the documents to be produced due to a family medical emergency. *Id.* at 4–5 ¶ 8.

On November 29, 2021, the Court held a status conference, which Plaintiffs' counsel and Ms. Baguio-Lameg attended. Mr. Lameg did not make an appearance. Ms. Baguio-Lameg did not submit the documents to be produced. The Court ordered Ms. Baguio-Lameg to gather the documents to be produced and submit them to Plaintiffs' counsel no later than December 31, 2021. *Id.* at 5–6 ¶ 9. On January 4, 2022, the Court held another status conference, at which only Plaintiffs' counsel appeared. Plaintiffs' counsel reported that there has been no progress on the documents to be produced due to unforeseen circumstances regarding Ms. Baguio-Lameg. *Id.* at 6 ¶ 10. The Court set a further status conference for February 15, 2022, regarding the documents to be produced. *Id.*

At the February 15, 2022 status conference, only Plaintiffs' counsel appeared. Plaintiffs' counsel informed the Court that no documents had been produced and requested the Court to issue an Order to Show Cause. *Id.* at 7–8 ¶ 13. The Court noted in its minutes for the February 15, 2022 status conference that Plaintiffs' counsel would file an appropriate motion. ECF No. 185.

On March 14, 2021, Plaintiffs filed an Ex Parte Motion for Order to Show Cause Why Judgment Debtor Paradise Landscape Maintenance Inc., By and Through Juanito B. Lameg and Sheena Baguio-Lameg, and Juanito B. Lameg and Sheena Baguio-Lameg, Should Not Be Held In Contempt and Why Sanctions Should Not Be Imposed Due to Their Failure to Appear at Order for Examination Return Hearings and to Produce All Books, Papers, Records and Documents Per the Court's Order of Examination of Judgment Debtor ("Motion"). ECF No. 186. Plaintiffs assert that, despite the Court's 08/31/2020 Order regarding the documents to be produced, Mr. Lameg and Ms. Baguio-Lameg have failed to produce those documents. On April 25, 2022, the Court held a hearing on the Motion. Ashley K. Ikeda, Esq., appeared for Plaintiffs. Neither Ms. Baguio-Lameg nor Mr. Lameg appeared.


Accordingly, Defendant, by and through Juanito B. Lameg and Sheena Baguio-Lameg, and Juanito B. Lameg and Sheena Baguio-Lameg, are ORDERED to appear before this Court on **May 23, 2022, at 9:00 a.m. in Courtroom 5**, to show cause, if any, why they should not be held in civil contempt for failure to comply with the Court's 08/31/2021 Order. The Court warns Mr. Lameg and Ms. Baguio-Lameg that their failure to appear or failure to show adequate cause for their inaction, respectively, may result in sanctions, including but not limited to fines, a civil contempt finding, and other appropriate action. *See* LR11.1. If

Mr. Lameg and Ms. Baguio-Lameg fail to respond to this Order to Show Cause, the Court may certify facts to the district court and recommend that the district court find Defendant in civil contempt.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, April 25, 2022.



  
Kenneth J. Mansfield  
United States Magistrate Judge

*Trustees of the Hawaii Laborers' Tr. Funds, et al. v. Paradise Landscape Maintenance Inc.,* Civil No. 19-00019 HG-KJM; Order Granting Plaintiffs' Trustees of the Hawaii Laborers' Trust Funds' Ex Parte Motion for Order to Show Cause Why Judgment Debtor Paradise Landscape Maintenance Inc., By and Through Juanito B. Lameg and Sheena Baguio-Lameg, and Juanito B. Lameg and Sheena Baguio-Lameg, Should Not Be Held In Contempt and Why Sanctions Should Not Be Imposed Due to Their Failure to Appear at Order for Examination Return Hearings and to Produce All Books, Papers, Records and Documents Per the Court's Order of Examination of Judgment Debtor